

SERVICE DATE – MARCH 25, 2019

SURFACE TRANSPORTATION BOARD

DECISION AND NOTICE OF INTERIM TRAIL USE OR ABANDONMENT

Docket No. AB 490 (Sub-No. 2X)

GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION—  
ABANDONMENT EXEMPTION—IN GREENVILLE COUNTY, S.C.

Decided: March 22, 2019

Greenville County Economic Development Corporation (GCEDC) filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments for GCEDC to abandon approximately 3.29 miles of railroad line extending between milepost AJK 585.34 in East Greenville, S.C., and milepost AJK 588.63 in Greenville, S.C. (the Line). Notice of the exemption was served and published in the Federal Register on January 9, 2015 (80 Fed. Reg. 1,470). By decision served on February 6, 2015, the Board imposed four environmental consultation conditions that would apply if salvage activities were to occur. The exemption became effective on February 8, 2015.

By decision and notice of interim trail use or abandonment (NITU) served on May 18, 2015, the proceeding was reopened and a 180-day period was authorized for the County of Greenville, S.C. (the County), to negotiate an interim trail use/rail banking agreement with GCEDC for the Line under the National Trails System Act, 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29. On September 14, 2015, the County and GCEDC jointly notified the Board that an interim trail use/rail-banking agreement had been reached. In 2016, the County filed a verified notice of exemption to acquire the rail-banked Line from GCEDC. See County of Greenville, S.C.—Acquis. Exemption—Rail Line of Greenville Cty. Econ. Dev. Corp., FD 35997 (STB served Feb. 26, 2016). As a result, the County currently owns the Line and holds the right to reactivate service over it.

On January 29, 2019, the County filed a notice of intent to terminate trail use over a small portion of the right-of-way (the Parcel) to facilitate the construction of a greenway/public road adjacent to the rail-banked line. The Parcel is 75 feet wide (half the width of the right-of-way) and runs longitudinally between milepost 587 and road crossing 640378Y. The County states that the Parcel is excess right-of-way that is not necessary for the restoration of rail service. According to the County, the Parcel has never been used for railroad purposes and is “well outside” where track previously existed. The County states that the Parcel is on a “drastically higher grade than the historic rail line, making railroad purposes in the proposed removal area all but impossible.” (*Id.*) Furthermore, the County notes that the remaining 75 feet width of the right-of-way will continue to be subject to the NITU and asserts that that is sufficient for the restoration of rail service. The County asks that the Board vacate the existing NITU for the Parcel and issue a replacement NITU for the remaining portion of the Line. The County states

that it intends to consummate its abandonment of the Parcel immediately upon issuance of the replacement NITU.

The County has complied with the requirements of 49 C.F.R. § 1152.29(d)(2). Its request to vacate the NITU with respect to the Parcel will be granted and a replacement NITU issued for the remainder of the right-of-way. The County may consummate the abandonment of the Parcel, subject to the environmental consultation conditions related to salvage activities noted above.

It is ordered:

1. This proceeding is reopened.
2. The NITU served on May 18, 2015, is vacated.
3. A replacement NITU applicable to the right-of-way, except for the Parcel, is issued.
4. This decision is effective on its service date.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.